

MAR-27-2007 TUE 03:04 PM KATTEN MUCHIN ROSENMAN

FAX NO. 12129408987

RECEIVED

CENTRAL FAX CENTER

P. 06

MAR 27 2007

Serial No. 10/723,993
Page 5 of 7

REMARKS

Claims 2-3 and 5-8 remain pending in the application, with claims 2 and 3 amended herein. No new matter has been added.

Claims 2-3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art ("AAPA") in view of U.S. Patent No. 6,240,066 to Nagarajan et al.; claims 5 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA and Nagarajan et al., and further in view of U.S. Patent No. 6,526,070 to Bernath et al.; claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA, Nagarajan et al., Bernath et al., and further in view of U.S. Patent No. 6,570,872 to Beshai et al.; and claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA and Nagarajan et al., and further in view of U.S. Patent No. 4,891,788 to Kreifels.

Independent claim 3 has been amended herein to clarify the distinguishing features of the instant application. The AAPA, as indicated in the application, Figs. 17 and 18 of the application show a conventional configuration, wherein storage areas in the packet buffer memory 6 are fixed. Further, in the pointer read/write control portion 10 of the conventional configuration, the amount of movement of the management pointer by the packet output control portion 11 according to the service class characteristic table is always fixed. Accordingly, the system configuration shown in Figs. 17 and 18 do not provide any means to enable various packet operations in a simulated network. Further support for this assertion can be found in the specification at page 4, lines 16-25.

In contrast, as amended, independent claim 3 recites "a service class characteristic table, which sets characteristics for each packet in advance for the simulation of stutuses of transferring

Serial No. 10/723,993
Page 6 of 7

packets having a variable length in an IP network by defining a packet control operation for each received packet, corresponding to a service class which is identified by the TAG information.

Further, as amended, independent claim 3 recites a conversion table which modifies the allocated areas of the buffer memory are allocated, and the packet output control portion which manages the areas of the buffer memory from which packets to be read out and the order and timing of reading out the packets, according to contents stored in the conversion table, so as to perform the characteristics for each packet set in the service class characteristics table.

It is submitted that the AAPA fails to indicate the conversion table, and that a service class characteristic table, which sets characteristics for each packet in advance for the simulation of statuses of transferring packets.

Further, neither AAPA nor Nagarajan discloses that the conversion table modifies the allocated areas of the buffer memory according to the number of service class settings in said service class characteristic table and defines output physical ports, based on which the areas of the buffer memory are allocated, and the packet output control portion manages the areas of the buffer memory from which packets to be read out, the order and timings of reading out the packets, according to contents stored in the conversion table so as to perform the characteristics for each packet, set in the service class characteristics table.

Accordingly, it is submitted that neither AAPA nor Nagarajan, whether alone or in combination teach or suggest each and every element of independent claim 3. Therefore claim 3 as amended patentably distinguishes over the relied upon portions of the cited references and is allowable. It is submitted that the relied upon portions of the other cited references do not

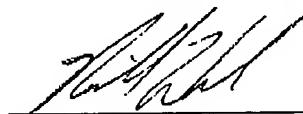
Serial No. 10/723,993
Page 7 of 7

overcome these shortcomings. It is submitted that claims 2, and 5-8 which depend from independent claim 3 are allowable therewith.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Nathan Weber
Reg. No. 50,958

CUSTOMER NUMBER 026304

Telephone: (212) 940-8564

Fax: (212) 940-8986 or 8987

Docket No.: FUJH 20.767 (100794-00516)

NDW:cc

84205371_1.DOC